
By: **Senator DeGrange**

Introduced and read first time: February 6, 2004

Assigned to: Finance

A BILL ENTITLED

1 AN ACT concerning

2 **Task Force to Study Governance of Baltimore-Washington International**
3 **(BWI) Airport**

4 FOR the purpose of establishing the Task Force to Study the Governance of
5 Baltimore-Washington International (BWI) Airport; providing for the
6 membership and staffing of the Task Force; requiring the Task Force to study
7 certain issues related to BWI Airport governance and report to the Governor and
8 the General Assembly on or before a certain date; requiring the Task Force to
9 make recommendations with regard to governance at BWI Airport; prohibiting
10 members of the Task Force from receiving certain compensation but authorizing
11 the reimbursement of certain expenses; providing for the termination of this Act;
12 and generally relating to a Task Force to Study the Governance of BWI Airport.

13 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
14 MARYLAND, That:

15 (a) There is a Task Force to Study the Governance of Baltimore-Washington
16 International (BWI) Airport.

17 (b) The Task Force consists of the following 13 members:

18 (1) two members of the Senate, appointed by the President of the Senate;

19 (2) two members of the House of Delegates, appointed by the Speaker of
20 the House of Delegates;

21 (3) one member elected from and by the membership of the Maryland
22 Aviation Commission, who has served for a minimum of 5 years on the Commission,
23 to be jointly appointed by the President of the Senate and the Speaker of the House of
24 Delegates;

25 (4) two members representing the counties that are located in the
26 current BWI Airport Noise Zone, to be jointly appointed by the President of the
27 Senate and the Speaker of the House of Delegates, and the appointments shall be
28 from recommendations on a list provided by the respective county executives;

1 (5) two members who are currently employed or were previously
2 employed by the Maryland Department of Transportation or the Maryland Aviation
3 Administration who have or had a minimum of 10 years of continuous service in the
4 Department, one in the area of airport finance and administration and one in the area
5 of airside and landside operations, to be appointed by the chairman of the Task Force;

6 (6) one representative from an airline operating at BWI Airport as of
7 June 30, 2004, appointed by the Legislative Policy Committee, in consultation with
8 the chairman of the Task Force;

9 (7) one representative from national aviation-focused organizations
10 such as the Airport Council International - North America and the American
11 Association of Airport Executives, appointed by the Legislative Policy Committee; and

12 (8) two members of the community with special knowledge, experience,
13 and expertise related to the BWI Airport or other commercial airports, jointly
14 appointed by the President of the Senate and the Speaker of the House of Delegates.

15 (c) The Secretary of Transportation may serve as an ex-officio member of the
16 Task Force.

17 (d) The Task Force may request the assistance and advice of:

18 (1) the Comptroller for the State of Maryland or the Comptroller's
19 designee; and

20 (2) the Treasurer of the State of Maryland.

21 (e) The President of the Senate and the Speaker of the House of Delegates
22 shall jointly appoint a chairman and a vice chairman from the legislative membership
23 of the Task Force.

24 (f) The Department of Legislative Services shall provide staff for the Task
25 Force.

26 (g) The Maryland Department of Transportation shall provide all necessary
27 funding for the Task Force. In addition, the Maryland Department of Transportation
28 shall provide information as required and requested by the chairman of the Task
29 Force.

30 (h) A member of the Task Force:

31 (1) shall serve without compensation; but

32 (2) is entitled to reimbursement for expenses under the Standard State
33 Travel Regulations, as provided in the State budget.

34 (i) (1) The Task Force shall review and study:

- 1 (i) the governance structures of other large commercial airports
2 including ownership and management, concessions contracting, master lease
3 agreements between the airport and the airlines, and security issues;
- 4 (ii) the financial structure of other large commercial airports;
- 5 (iii) financial information covering BWI Airport operating and
6 capital budgets from the past 10 years;
- 7 (iv) passenger, cargo volume, and aircraft operation trends at BWI
8 Airport for the past 10 years;
- 9 (v) financial forecasts including operating and capital development
10 plans for BWI Airport covering at least the next 5 years, including alternative
11 financial mechanisms that are in use today by other publicly owned large commercial
12 airports;
- 13 (vi) passenger, cargo, and aircraft operations forecasts at BWI
14 Airport for at least the next 5 years and the ability of BWI Airport infrastructure to
15 meet that demand;
- 16 (vii) staffing information for State employees at BWI Airport; and
- 17 (viii) industry benchmark data including revenue per enplaned
18 passenger, cost per enplaned passenger, and tenant (airline and concessions)
19 contributions to the BWI Airport finance model in comparison to other commercial
20 airports.

21 (2) For purposes of this subsection, the Task Force shall consider as a
22 "large commercial airport" any airport operating in the United States that serves
23 more than 1,000,000 passengers enplaned per year.

24 (j) The Task Force may:

- 25 (1) request the assistance of the Federal Aviation Administration;
- 26 (2) require the Maryland Department of Transportation to supply copies
27 of all previous governance studies of BWI Airport for review by the Task Force;
- 28 (3) require the Maryland Aviation Administration to provide technical
29 and financial information to include copies of lease agreements between the airport
30 and various parties, copies of operational contracts, and other data as may be
31 requested by the Task Force;
- 32 (4) consult other airport trade organizations;
- 33 (5) consult community associations from areas surrounding BWI
34 Airport;
- 35 (6) conduct site visits to BWI Airport to see operating activities and
36 capital improvements underway at BWI Airport;

1 (7) conduct site visits to other airports to view their facilities, planning
2 process, and governance structures; and

3 (8) review qualifications statements and proposals from technically
4 qualified consultants who may be required to provide an independent analysis of the
5 current BWI Airport governance and recommendations for alternatives for
6 consideration by the Task Force.

7 (k) The Task Force shall make recommendations regarding:

8 (1) an appropriate governance structure for BWI Airport including any
9 concerns or benefits to changing the current structure; and

10 (2) regulatory, administrative, or legislative changes needed to allow
11 BWI Airport to function more efficiently and more like an independent business.

12 (l) The Task Force shall report its findings and recommendations to the
13 Governor and, subject to § 2-1246 of the State Government Article, to the General
14 Assembly on or before December 31, 2004.

15 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
16 July 1, 2004. It shall remain effective for a period of 2 years and, at the end of June
17 30, 2006, with no further action required by the General Assembly, this Act shall be
18 abrogated and of no further force and effect.